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TYPE OR PRINT IN BLACK INK (For instructions, see booklet: "How to File an Application to Appropriate Water in California")

California Environmental Protection Agency

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
www.waterrights.ca.gov

REJECTED 5-24-06 BC

APPLICATION NO. 31730 (leave blank)

APPLICATION TO APPROPRIATE WATER

SECTION A: NOTICE INFORMATION

1. APPLICANT/AGENT

	APPLICANT	ASSIGNED AGENT (if any)
Name	CARRERAS RANCH LLC	
Mailing Address	22700 WALLING RD.	
City, State & Zip	GEYSERVILLE CA. 95448	
Telephone	707 857-~~3429~~ 1816	
Fax	707 ~~433-6547~~ 857-1816	
E-mail	MCSCHLUTER@AOL.COM TR SCHLUTER D AOL. Com - per CR dtd 11/16/04	

2. OWNERSHIP INFORMATION (Please check type of ownership.) - MSM

☐ Sole Owner ☒ Limited Liability Company (LLC) ☐ General Partnership*
☐ Limited Partnership* ☐ Business Trust ☐ Husband/Wife Co-Ownership
☐ Corporation ☐ Joint Venture ☐ Other _____

*Please provide a copy of your partnership agreement.

3. PROJECT DESCRIPTION (Provide a detailed description of your project, including, but not limited to, type of construction activity, area to be graded or excavated, and how the water will be used.)

A small earthen dam was built to create a reservoir. A seasonal stream located entirely on the ranch property fills the reservoir. The water level in the reservoir is maintained by a well located at the head. Water is taken from the reservoir by a 4 inch diameter pipe located at the base of the dam. That water is then pumped to irrigate the vineyard

☐ *For continuation, see Attachment No.* ___

4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

a. PURPOSE OF USE (irrigation, domestic, etc.)	DIRECT DIVERSION: AMOUNT Rate (cfs or gpd)*	DIRECT DIVERSION: AMOUNT Acre-feet per annum	DIRECT DIVERSION: SEASON OF DIVERSION Beginning date (month & day)	DIRECT DIVERSION: SEASON OF DIVERSION Ending date (month & day)	STORAGE: AMOUNT Acre-feet per annum	STORAGE: SEASON OF COLLECTION Beginning date (month & day)	STORAGE: SEASON OF COLLECTION Ending date (month & day)
Irrigation grapes	—	—	—	—	12.93	Jan. 1	~~May 1~~ MARCH 31 (TRS)
Total afa =			Total afa =		12.93		

☐ *See Attachment No.* ___

* If rate is less than 0.025 cubic feet per second (cfs), use gallons per day (gpd).

b. Total combined amount taken by direct diversion and storage during any one year will be 12.93 acre-feet.

c. Reservoir storage is: ☒ onstream ☐ offstream ☐ underground (If underground storage, attach Form APP-UGSTOR.)

d. County in which diversion is located: SONOMA County in which water will be used: SONOMA

5. SOURCES AND POINTS OF DIVERSION/REDIVERSION

a. Sources and Points of Diversion (POD)/Points of Rediversion (PORD):

☒ POD / ☐ PORD #___: ~~☒~~ Unnamed Stream tributary to UNNAMED STREAM tributary to ^ DRY CREEK thence RUSSIAN RIVER - MSM 11/16/04 per GIS map

☐ POD / ☐ PORD #___: _____ tributary to _____ thence _____

☐ POD / ☐ PORD #___: _____ tributary to _____ thence _____

☐ POD / ☐ PORD #___: _____ tributary to _____ thence _____

☐ *See Attachment No.* ___

Rec'd $1143.95 $550.00 (DFG) 10/27/06 MS

4/26/07 $104 #AE

b. State Planar and Public Land Survey Coordinate Description:

POD/ PORD #	CALIFORNIA COORDINATES (NAD 27) 83	ZONE	POINT IS WITHIN (40-acre subdivision)	SECTION	TOWN-SHIP	RANGE	BASE AND MERIDIAN
1	~~N381.867ft E 1736920~~ N 2,02 2,283 E 6,293,532	2	NE ¼ of SW ¼	14	T10N	R10W	MDB-M
			¼ of ¼				
			¼ of ¼				
			¼ of ¼				

Per C.R. dtd 11/16/08 -msm.

☐ *See Attachment No. ___*

c. Name of the post office most often used by those living near the proposed point(s) of diversion:
GEYSERVILLE POST OFFICE

6. WATER AVAILABILITY

a. Have you attached a water availability analysis for this project? ☒ YES ☒ NO — attached - msm
If NO, provide sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation:

☐ *See Attachment No. ___*

b. Is your project located on a stream system declared to be fully appropriated by the State Water Resources Control Board during your proposed season of diversion? ☐ YES ☒ NO BR FAS MAP 5-9-08 BR

c. In an average year, does the stream dry up at any point downstream of your project? ☒ YES ☐ NO If YES, during which months? ☐ Jan ☐ Feb ☐ Mar ☐ Apr ☒ May ☒ Jun ☒ Jul ☒ Aug ☒ Sep ☒ Oct ☒ Nov ☒ Dec

d. What alternate sources of water are available if a portion of your requested diversion season must be excluded because water is not available for appropriation? (e.g., percolating groundwater, purchased water, etc.)
WELL

☐ *See Attachment No. ___*

7. PLACE OF USE

a.

USE IS WITHIN (40-acre subdivision)	SECTION*	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Acres	Presently cultivated?
NE ¼ of SW ¼	14	T10N	R10W	MDB+M	25	☒ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
				Total	25	

*Please indicate if section is projected with a "(P)" following the section number.

☐ *See Attachment No. ___*

b. Please provide the Assessor's Parcel Number(s) for the place of use: 139-190-006-00

8. PROJECT SCHEDULE

a. Project is:
☐ proposed. Year construction will begin: _____
☐ partially complete. Extent of completion: _____
☐ complete. Year completed: 1970

b. Year of first use: 1971 Year water will be used to the full extent intended: _____

SECTION B: MISCELLANEOUS DIVERSION INFORMATION

1. JUSTIFICATION OF AMOUNTS REQUESTED

FROM CA RECOL 5-9

a. ☐ IRRIGATION: Maximum area to be irrigated in any one year: 25 BR acres.

CROP	ACRES	METHOD OF IRRIGATION (sprinklers, flooding, etc.)	WATER USE (Acre-feet/Yr.)	SEASON OF WATER USE	
				Beginning date (month & day)	Ending date (month & day)
VINEYARD/GRAPES	25	DRIP	8.	JUNE 1	SEPT 31

☐ *See Attachment No.* ___

b. ☐ DOMESTIC: Number of residences to be served: _____ Separately owned? ☐ YES ☐ NO
Number of people to be served: _____ Estimated daily use per person is: _____ gallons per day
Area of domestic lawns and gardens: _____ square feet
Incidental domestic uses: _____
(dust control area, number and kind of domestic animals, etc.)

c. ☐ STOCKWATERING: Kind of stock: _____ Maximum number: _____
Describe type of operation: _____
(feedlot, dairy, range, etc.)

d. ☐ RECREATIONAL: Type of recreation: ☐ Fishing ☐ Swimming ☐ Boating ☐ Other _____

e. ☐ MUNICIPAL:

POPULATION List for 5-year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
Period	Population	Average daily use (gallons per capita)	Rate of diversion (cfs)	Average daily use (gallons per capita)	Acre-foot (per capita)	Total (acre-feet)
Present						

☐ *See Attachment No.* ___

Month of maximum use during year: _____ Month of minimum use during year: _____

f. ☐ HEAT CONTROL: Area to be heat controlled: _____ net acres
Type of crops protected: _____
Rate at which water is applied to use: _____ gpm per acre
Heat protection season will begin _____ and end _____.
(month & day) (month & day)

g. ☐ FROST PROTECTION: Area to be frost protected: _____ net acres
Type of crops protected: _____
Rate at which water is applied to use: _____ gpm per acre
The frost protection season will begin _____ and end _____.
(month & day) (month & day)

h. ☐ INDUSTRIAL: Type of industry: _____
Basis for determination of amount of water needed: _____

i. ☐ MINING: Name of the claim: _____ ☐ Patented ☐ Unpatented
Nature of the mine: _____ Mineral(s) to be mined: _____
Type of milling or processing: _____
After use, the water will be discharged into _____ (watercourse)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M.

j. ☐ POWER: Total head to be utilized: _____ feet
Maximum flow through the penstock: _____ cfs
Maximum theoretical horsepower capable of being generated by the works (cfs x fall ÷ 8.8): _____
Electrical capacity (hp x 0.746 x efficiency): _____ kilowatts at: _____ % efficiency
After use, the water will be discharged into _____ (watercourse)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M. FERC No.: _____

k. ☐ FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: List specific species and habitat type that will be preserved or enhanced in Item 7a of Section C.

l. ☐ OTHER: Describe use: _____
Basis for determination of amount of water needed: _____

2. DIVERSION AND DISTRIBUTION METHOD

a. Diversion will be by gravity by means of: DAM
(dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from: N/A
(sump, offset well, channel, reservoir, etc)

Pump discharge rate: _____ ☐ cfs or ☐ gpd Horsepower: _____ Pump Efficiency: _____

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (pipe or channel)	MATERIAL (type of pipe or channel lining; indicate if pipe is buried or not)	CROSS-SECTION (pipe diameter, or ditch depth and top and bottom width) (inches or feet)	LENGTH (feet)	TOTAL LIFT OR FALL		CAPACITY (cfs, gpd or gpm)
				feet	+ or -	
	N/A					

☐ *See Attachment No.* ___

d. Storage reservoirs: (For underground storage, complete and attach form APP-UGSTOR)

RESERVOIR NAME OR NUMBER	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (feet	Construction material	Length (feet)	Freeboard: dam height above spillway crest (feet)	Surface area when full (acres)	Capacity (acre-feet)	Maximum water depth (feet)
	23	Earthen	100	3 feet	.8035	12.93	23

☐ *See Attachment No.* ___

e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

RESERVOIR NAME OR NUMBER	OUTLET PIPE				
	Diameter (inches)	Length (feet)	Fall: vertical distance between entrance and exit of outlet pipe (feet)	Head: vertical distance from spillway to entrance of outlet pipe (feet)	Dead Storage: storage below entrance of outlet pipe (acre-feet)
	4 inch	100	22 feet	17 feet	3.37

☐ *See Attachment No.* ___

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to off-stream storage will be _____ cfs. Diversion to offstream storage will be made by: ☐ Pumping ☐ Gravity

3. CONSERVATION AND MONITORING

a. What methods will you use to conserve water? Explain. Water Removal is by 4 inch PVC Pipe only For irrigation

b. How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water? ☐ Weir ☐ Meter ☐ Periodic sampling ☐ Other (describe) Non-stored appropriated water is reintroduced to the stream channel. Appropriated water exits reservoir by a 4" pipe with valve

4. RIGHT OF ACCESS

a. Does the applicant own all the land where the water will be diverted, transported and used? ☒ YES ☐ NO
If NO, I ☐ do ☐ do not have a recorded easement or written authorization allowing me access.

b. List the names and mailing addresses of all affected landowners and state what steps are being taken to obtain access: _____

☐ *See Attachment No.* ___

5. EXISTING WATER RIGHTS AND RELATED FILINGS

a. Do you claim an existing right for the use of all or part of the water sought by this application? ☐ YES ☒ NO
If YES, please specify: ☐ Riparian ☐ Pre-1914 ☐ Registration ☐ Permit ☐ License
☐ Percolating groundwater ☐ Adjudicated ☐ Other (specify) _____

b. For each existing right claimed, state the source, year of first use, purpose, season and location of the point of diversion (to within quarter-quarter section). Include number of registration, permit, license, or statement of

water diversion and use, if applicable. _____

c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion. _____

☐ *See Attachment No.* ___

6. OTHER SOURCES OF WATER

Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project? ☐ Yes ☒ No If yes, please explain: _____

7. MAP REQUIREMENTS

The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section and quarter/quarter section of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at http://topomaps.usgs.gov. A certified engineering map is required when (1) appropriating more than three cfs by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1000 acre-feet per annum by underground storage. See the instruction booklet for more information.

☐ *See Attachment No.* ___

SECTION C: ENVIRONMENTAL INFORMATION

Note: Before a water right permit may be issued for your project, the State Water Resources Control Board (SWRCB) must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared for your project, a determination must be made of who is responsible for its preparation. If the SWRCB is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required documents. Please answer the following questions to the best of your ability and submit with this application any studies that have been conducted regarding the environmental evaluation of your project.

1. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: In Progress Date of contact: _____
Department: _____ Telephone: (____) _____
County Zoning Designation: _____
Are any county permits required for your project? ☐ YES ☐ NO If YES, check appropriate box below:
☐ Grading permit ☐ Use permit ☐ Watercourse ☐ Obstruction permit ☐ Change of zoning
☐ General plan change ☐ Other (explain): _____

b. Have you obtained any of the required permits described above? ☐ YES ☐ NO
If YES, provide a complete copy of each permit obtained.
☐ *See Attachment No.* ___

2. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project:
☐ Federal Energy Regulatory Commission ☐ U.S. Forest Service ☐ U.S. Bureau of Land Management
☐ U.S. Corps of Engineers ☐ U.S. Natural Res. Conservation Service ☐ Calif. Dept. of Fish and Game
☐ State Lands Commission ☐ Calif. Dept. of Water Resources (Div. of Safety of Dams)
☐ Calif. Coastal Commission ☐ State Reclamation Board ☐ Other (specify) _____

b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.

☐ *See Attachment No.* ___

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank, or riparian habitat of any stream or lake? ☐ YES ☒ NO
If YES, explain: _____

☐ *See Attachment No.* ___

d. Have you contacted the California Department of Fish and Game concerning your project? ☐ YES ☒ NO
If YES, name and telephone number of contact: _____

3. ENVIRONMENTAL DOCUMENTS

a. Has any California public agency prepared an environmental document for your project? ☐ YES ☒ NO

c. If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: _____

d. If NO, check the appropriate box and explain below, if necessary:

☐ The applicant is a California public agency and will be preparing the environmental document.*

☒ I expect that the SWRCB will be preparing the environmental document.**

☐ I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: _____

☐ *See Attachment No.* ___

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your application cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the applicant and at the applicant's expense under the direction of the SWRCB, Division of Water Rights.

4. WASTE/WASTEWATER

a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?
☐ YES ☒ NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

☐ *See Attachment No.* ___

b. Will a waste discharge permit be required for your project? ☐ YES ☒ NO
Person contacted: _____ Date of contact: _____

c. What method of treatment and disposal will be used? _____

☐ *See Attachment No.* ___

5. ARCHEOLOGY

a. Have any archeological reports been prepared on this project? ☐ YES ☒ NO

b. Will you be preparing an archeological report to satisfy another public agency? ☐ YES ☒ NO

c. Do you know of any archeological or historic sites located within the general project area? ☐ YES ☒ NO
If YES, explain: _____

☐ *See Attachment No.* ___

6. ENVIRONMENTAL SETTING

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the following three locations:

☒ Along the stream channel immediately downstream from the proposed point(s) of diversion.

☒ Along the stream channel immediately upstream from the proposed point(s) of diversion.

☒ At the place(s) where the water is to be used.

☒ *See Attachment No.* ___

SECTION D: SUBMITTAL FEES

Calculate your application filing fee using the "Water Right Fee Schedule Summary" that was enclosed in the application packet. The "Water Right Fee Schedule Summary" can also be viewed at the Division of Water Rights' website (www.waterrights.ca.gov).

A check for the application filing fee, payable to the "Division of Water Rights" and an $850 check for the Streamflow Protection Standards review fee [Pub. Resources Code § 10005(a)], payable to the "California Department of Fish and Game," must accompany this application. All applicable fees are required at the time of filing. Your application will be returned to you if it is not accompanied by all required fees.

SECTION E: DECLARATION AND SIGNATURE

I declare under penalty of perjury that all information provided is true and correct to the best of my knowledge and belief. I authorize my agent, if I have designated one above, to act on my behalf regarding this water right application.

Signature of Applicant	Title or Relationship	Date
Mary Schluter	General Manager	4/17/06
Signature of Co-Applicant (if any)	Title or Relationship	Date
Richard S Schluter	Husband	10/27/2008

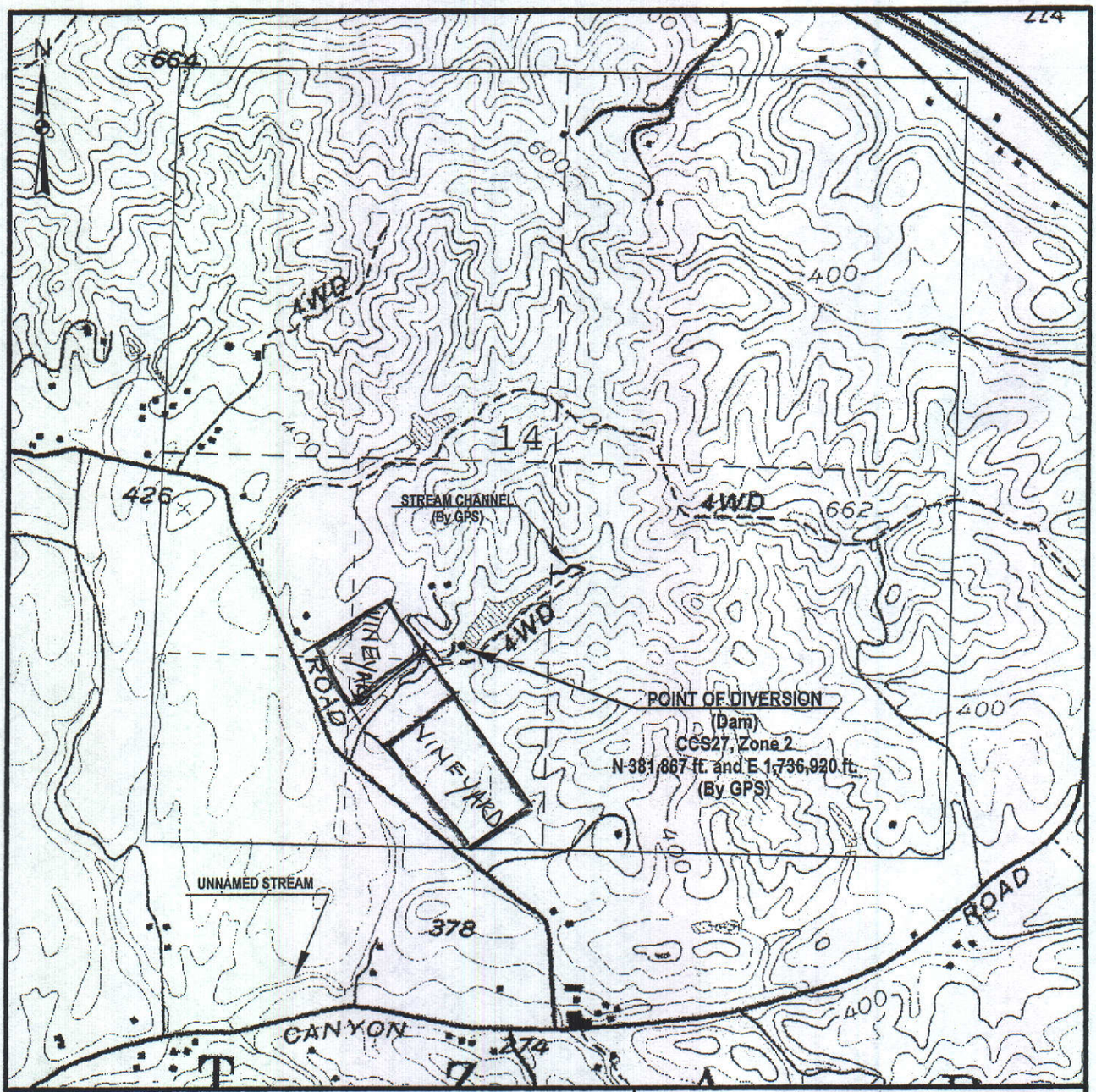
"APPLICATION TO APPROPRIATE WATER" CHECKLIST

Before you submit your application, be sure to:

- ☐ Answer each question completely in Sections A, B, and C.
- ☐ Number and include all necessary attachments.
- ☐ Include a legible map that meets the requirements discussed in the instruction booklet (Item B6).
- ☐ Include the Water Availability Analysis or sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation (Item A6).
- ☐ Include three complete sets of color photographs of the project site (Item C6).
- ☐ Enclose a check for the required fee, payable to the Division of Water Rights, as specified in Section D.
- ☐ Enclose a $850 check for the Streamflow Protection Standards review fee, payable to the Department of Fish and Game, as specified in Section D.
- ☐ Sign and date the application in Section E.

Send the original and one copy of the entire application to:

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000



OWNER **CARRERAS RANCH LLC**

SOURCE **UNNAMED STREAM TRIBUTARY TO DRY CREEK THENCE RUSSIAN RIVER**

POINT OF DIVERSION

WITHIN **NE 1/4 OF SW 1/4** OF

PROJECTED SECTION **14, T10N, R10W, MDB&M**

COUNTY OF **SONOMA**

U.S.G.S. QUAD: **GEYSERVILLE** DATE: **GIS** SCALE: **1:12,000**

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

NONPERMITTED RESERVOIR INSPECTION

DATE:	DRAWN:	CHECKED:
2/23/2006	L. Lindsay	

Note: This map does not constitute a public land survey as defined by California Business & Professions Code section 8726. It has been prepared for descriptive purposes only.